

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

FREDERICK GRAY, )  
                        )  
Plaintiff,           )  
                        )  
vs.                   ) Case No. CIV-11-1446-F  
                        )  
GREGORY T. RITTER, et al., )  
                        )  
Defendants.          )

**ORDER**

This action is brought under 42 U.S.C. §1983 by a state prisoner who appears pro se and whose pleadings are liberally construed. Defendants moved for dismissal, contending that service of process was insufficient. Magistrate Judge Shon T. Erwin entered a Report and Recommendation in which he recommended the court deny the motion to dismiss because service substantially complied with Oklahoma law. Defendants did not file an objection to the Report. Upon review, the Report of Magistrate Judge Shon T. Erwin is **ADOPTED, ACCEPTED** and **AFFIRMED**. Doc. no. 30. The motion to dismiss is **DENIED**. Doc. no. 25. Plaintiff's motion for extension of time is **DENIED AS MOOT**. Doc. no. 28. This matter remains referred to the Magistrate Judge.

Dated this 16<sup>th</sup> day of April, 2013.



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STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE